

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE TAYLOR, III,

Petitioner,

v.

WARDEN, et al.,

Respondents.

No. 2:25-cv-0398 TLN AC P

ORDER

Petitioner filed a motion for extension of time to file a notice of appeal from the order dismissing his case, and a notice informing the court that his recent transfer to a new facility will delay his access to his personal and legal property and access to the law library. ECF Nos. 12, 14.

Petitioner's motion for an extension of time to file a notice of appeal is denied as moot. This instant case has not been dismissed. Rather, defendant has moved for dismissal. See ECF No. 13 (motion to dismiss). Petitioner's notice regarding his transfer is construed as a motion for an extension of time to respond to that motion and for an extension of any other pending deadlines. The motion is granted in part and denied in part.

Respondent's motion to dismiss was filed on April 24, 2025. ECF No. 13. Per the court's prior order, once served, petitioner has 30 days to file an opposition or statement of non-opposition. ECF No. 8 at 2. Good cause appearing, the court will grant petitioner an extension of time to oppose the motion. Petitioner's opposition to the motion to dismiss is due no later than

1 July 2, 2025. Should petitioner need an additional extension, he should file a motion for an  
2 extension of time establishing good cause for a further extension. Because it is unclear which  
3 additional motions, applications, or requests petitioner may need more time to prepare, petitioner  
4 has not established good cause for any other extensions and the request will be denied.

5 Accordingly, IT IS HEREBY ORDERED that:

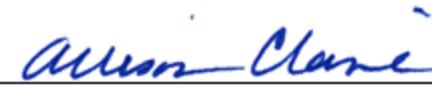
6 1. Petitioner's motion for an extension of time to file a notice of appeal (ECF No. 12) is  
7 DENIED as moot.

8 2. Petitioner's notice (ECF No. 14) is construed as a motion for extension of time to file  
9 an opposition to the motion to dismiss and to file additional motions, applications, and requests.  
10 So construed, the motion is GRANTED IN PART AND DENIED IN PART as follows:

11 a. GRANTED as to the filing of petitioner's opposition to the motion to dismiss  
12 (ECF No. 13), which shall be due **no later than July 2, 2025**; and

13 b. DENIED as to any other extensions of time.

14 DATED: April 30, 2025

15   
16 ALLISON CLAIRE  
17 UNITED STATES MAGISTRATE JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28